



Order Filed on May 22, 2019 by
Clerk U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY
Caption in compliance with D.N.J. LBR 9004-1

GIBBONS P.C.

Karen A. Giannelli, Esq.
Mark B. Conlan, Esq.
Brett S. Theisen, Esq.
One Gateway Center
Newark, New Jersey 07102
Telephone: (973) 596-4500
Facsimile: (973) 596-0545
E-mail: kgiannelli@gibbonslaw.com
mconlan@gibbonslaw.com
btheisen@gibbonslaw.com

Counsel to the Debtors and Debtors-in-Possession

In re:

NEW ENGLAND MOTOR FREIGHT, INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 19-12809 (JKS)

(Joint Administration)

FINAL ORDER (A) AUTHORIZING THE DEBTORS TO (I) CONTINUE THEIR CASH MANAGEMENT SYSTEM, (II) HONOR CERTAIN RELATED PREPETITION OBLIGATIONS, (III) MAINTAIN EXISTING BUSINESS FORMS, AND (IV) CONTINUE TO PERFORM INTERCOMPANY TRANSACTIONS; (B) AUTHORIZING AND DIRECTING THE DEBTORS' BANKS TO HONOR ALL RELATED PAYMENT REQUESTS; (C) GRANTING INTERIM AND FINAL WAIVERS OF THE DEBTORS' COMPLIANCE WITH SECTION 345(b) OF THE BANKRUPTCY CODE; (D) SCHEDULING A FINAL HEARING; AND (E) GRANTING RELATED RELIEF

The relief set forth on the following pages, numbered two (2) through and including four (4), is hereby **ORDERED**.

DATED: May 22, 2019


Honorable John K. Sherwood
United States Bankruptcy Court

¹ The Debtors in these chapter 11 cases and the last four digits of each Debtor's taxpayer identification number are as follows: New England Motor Freight, Inc. (7697); Eastern Freight Ways, Inc. (3461); NEMF World Transport, Inc. (2777); Apex Logistics, Inc. (5347); Jans Leasing Corp. (9009); Carrier Industries, Inc. (9223); Myar, LLC (4357); MyJon, LLC (7305); Hollywood Avenue Solar, LLC (2206); United Express Solar, LLC (1126); and NEMF Logistics, LLC (4666).

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Debtors: New England Motor Freight, Inc., *et al.*

Case No.: 19-12809 (JKS)

Caption: FINAL Order (a) Authorizing the Debtors to (i) Continue Their Cash Management System, (ii) Honor Certain Related Prepetition Obligations, (iii) Maintain Existing Business Forms, and (iv) Continue to Perform Intercompany Transactions; (b) Authorizing and Directing the Debtors' Banks to Honor All Related Payment Requests; (c) Granting Interim and Final Waivers of the Debtors' Compliance with Section 345(b) of the Bankruptcy Cod; (d) Scheduling a Final Hearing; and (e) Granting Related Relief

Upon consideration of the motion (the "Motion")² of the above-captioned debtors and debtors in possession (the "Debtors") for entry of an interim order and final order, (a) authorizing the Debtors to (i) continue their Cash Management System, (ii) honor certain related prepetition obligations, (iii) maintain existing Business Forms, and (iv) continue to perform Intercompany Transactions (b) authorizing and directing the Debtors' Banks to honor all related payment requests, (c) waiving the Debtors' compliance with section 345(b) of the Bankruptcy Code, (d) scheduling a final hearing, and (e) granting related relief, all as more fully set forth in the Motion; and upon the First Day Declaration; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Standing Order of Reference to the Bankruptcy Court Under Title 11* of the United States District Court for the District of New Jersey, dated September 18, 2012 (Simandle, C.J.); and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the relief requested in the Motion is in the best interests of the Debtors' estates, their creditors, and other parties in interest; and this Court having found that the Debtors' notice of the Motion was appropriate under the circumstances and no other notice need be provided; and this Court having reviewed

² Capitalized terms used but not defined herein shall have the meanings given to them in the Motion.

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the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court (the "Hearing"); and this Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and no timely objections to the relief granted in the Interim Order having been presented; and after due deliberation and sufficient cause appearing therefor:

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED, and the relief entered in the Court's Interim Order dated February 13, 2019 [ECF 39] (the "Interim Order") is hereby approved on a final basis pursuant to this Final Order. Pursuant to paragraph 16 of the Court's Interim Order, because no timely objections were received, this Final Order is hereby entered without further notice or hearing.

2. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Final Order in accordance with the Motion.

3. The Debtors shall serve a copy of this Final Order by (A) regular mail, on (i) the Office of the United States Trustee for the District of New Jersey, (ii) counsel to the Official Committee of Unsecured Creditors, (iii) the Internal Revenue Service, (iv) the New Jersey Division of Taxation Compliance and Enforcement – Bankruptcy Unit, (v) the Office of the Attorney General of the State of New Jersey, Division of Law, (vi) the Office of the United States Attorney for the District of New Jersey, (vii) all secured creditors, (viii) all banks listed on Exhibit

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A to the Motion; and (B) by ECF electronic notice to all parties that have requested to receive notice pursuant to Bankruptcy Rule 2002 within five (5) business days after the entry of this Final Order.

4. Notwithstanding any applicability of any of the Bankruptcy Rules, the terms and conditions of this Final Order shall be immediately effective and enforceable upon its entry.

5. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Final Order.